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February 23, 2024

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Pamela K. Chen, U.S.D.J.
225 Cadman Plaza East
Courtroom 4F North
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, et al.
Case No.: 1:22-cv-1032 (PKC) (JRC)
MLLG File No.: 25-2022

Dear Judge Chen:

This office represents the Plaintiff IME WatchDog, Inc. (“Plaintiff”) in the above-referenced case. Plaintiff submits this letter seeking emergency relief related to the March 13, 2024 evidentiary hearing.

On February 21, 2024, this Court ordered Defendant Safa Gelardi (“Safa”) to, *inter alia*, identify all real property she has owned and disposed of since February 1, 2022 and to appear in Court on March 13, 2024 with regard to Plaintiff’s renewed motion seeking an Order requiring Safa to place all proceeds from the sale of her Staten Island property in escrow until the Court determines the amount of fees it will award to Plaintiff in connection with Plaintiff’s pending fee application. The following day, on February 22, 2024, Safa went into contract on the sale of her Staten Island property. https://www.zillow.com/homedetails/148-Clay-Pit-Rd-Staten-Island-NY-10309/32373563_zpid/ (noting the home is pending and went into contract on February 22, 2024); see also Exhibit A (containing pictures of the Staten Island property).

It is respectfully submitted that, given Safa’s defiance of this Court’s prior Orders, her constant lies to this Court under oath, and a potential adverse ruling at the March 13, 2024 hearing, it is apparent that Safa is rushing to close the sale of her Staten Island property (her most valuable piece of real property) prior to the March 13, 2024 hearing in an attempt to moot the relief Plaintiff is seeking. We also anticipate that Safa will sell the house for significantly less than the \$1,250,000.00 asking price to rush the sale through to moot the relief Plaintiff is seeking.

Although Plaintiff’s pending motion does not seek to prevent Safa from selling the home, given the timing of this development, Plaintiff requests an Order holding any sale in abeyance until the conclusion of the March 13, 2024 hearing and a decision on the pending motion. If the Court is not inclined to hold the sale in abeyance pending the hearing and decision, Plaintiff requests that the Court direct the proceeds from the sale be deposited with the Clerk of the Court or with Plaintiff’s counsel to hold in escrow until the conclusion of the March 13, 2024 hearing and a decision regarding same.

Plaintiff therefore also requests that the Court direct Safa to provide the identities of the buyers, brokers and attorneys involved in the putative transaction so that Plaintiff may subpoena them to appear at the hearing, and to provide them notice of the instant application.

It should be noted, further, that Safa continues to lie and defy Court Orders. Despite the prior testimony from non-party Eugene Liddie (“Liddie”) that he merely bought a website from Defendants and is independently operating his own IME company, and notwithstanding the fact that Safa, through her attorney, has represented to the court that IME Companions has been shut down (and that she is completely out of the IME business), the following evidence proves that Safa and Liddie lied to this Court and that Safa continues to defy the injunction precluding her from unfairly competing against Plaintiff by servicing clients on the enjoined customer list:

1. Liddie’s website, www.imelegalreps.com, still lists the 833-463-7767 telephone number that is owned by Defendants and which they used when they operated IME Companions. See Exhibit B.
2. Liddie incorporated IME Legal Reps LLC in Texas, the state where Safa currently lives. See Exhibit C.
3. Safa and Vito Gelardi just recently incorporated an IME company in Texas, IME Advocate Company LLC. See https://opencorporates.com/companies/us_tx/0805399244. Its website is: <https://imeadvocate.com/>
4. The content on the websites for IME Advocate Company LLC (Safa’s and Vito’s new company) and IME Legal Reps LLC (Liddie’s company) is strikingly similar. Compare <https://imelegalreps.com> with <https://imeadvocate.com/>. Moreover, Safa’s website for IME Advocate Company LLC still lists the email address info@imecompanions.com that was previously contained on Defendants’ IME Companions LLC’s website. See Exhibit D. Additionally, the phone number listed on Safa’s IME Advocate Company LLC’s website, 833-229-1244, is under the same Grasshopper account owned by Safa which also owns 833-463-7767, the phone number listed on Liddie’s IME Legal Reps LLC’s website.

Based on the foregoing evidence, Plaintiff respectfully requests that the Court direct Defendants to be subjected to a forensic analysis of the 833-463-7767 and 833-229-1244 telephone numbers and the info@imecompanions.com e-mail account at Defendants’ expense. It is anticipated that another forensic analysis will provide further indicia of Safa’s continued defiance of the Court’s Orders and will implicate Liddie as a co-conspirator.

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Jamie S. Felsen, Esq.

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.

cc: All Counsel of Record